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# NOTA BENE

Vol. 1, No. 10

Newspaper of The George Washington University Law School

Monday, March 3, 1997

## Faculty Committee Focuses On Student 'Disenchantment'

by H. Otis Bilodeau

Associate News Editor

"There's a great irony in the fact that at a place where the faculty is so involved with teaching and with students -- a place that faculty choose to come to because they enjoy interacting with students -- students leave so disenchanted with the school." That's how Professor Todd Peterson, chair of the Law School's Long-Term Planning Committee, boils down the dilemma he and his fellow committee members are struggling to resolve.

As Prof. Peterson tells it, the Law School has an apparently self-perpetuating "disenchantment" problem: students leave the Law School resentful of the University and what they perceive as inadequate facilities; as alums they are reluctant

to contribute to the Law School; the Law School consequently fails to generate the endowment necessary for upgrading facilities; and the cycle repeats. According to Professor Stephen



Prof. Peterson

Saltzburg, who sits on the Committee and is looking into the issue of alumni giving, the Law School's endowment is among the very lowest of comparable law schools.

As part of an effort to plan for the Law School's future, Prof. Peterson said, the Committee is engaged in a wide-ranging inquiry into how to improve students' overall "law school experience." The Committee is considering the possibility of new or "reconfigured" buildings for the Law School, and asking questions about the ways new technologies should be integrated into the facilities. "We're looking at everything from how many classroom seats should be equipped for laptop computers to how much social space students should have at the school," Prof. Peterson noted. "We're looking at other ways in which technology may affect teaching -- maybe students will want to be able to sit

See COMMITTEE, page 5

## Domestic Violence Clinic To Be Closed

By Greg Ferguson

Editor-in-Chief

The Law School administration has decided to close the Domestic Violence Clinic for fall Semester 1997, according to Dean Peter Raven-Hansen. The clinic is run by Professor Joan Meier, who will be taking a sabbatical at Washington & Lee University next fall, and the Law School has decided not to continue seeking an interim replacement.

The domestic violence clinic is normally an eight-credit, full-academic-year clinic, open only to third-year students. Student participants represent victims of domestic violence by seeking, or seeking enforcement of, protection orders in D.C. Superior Court. Students also participate in community projects.

According to Dean Raven-Hansen, the decision to close the clinic was an administrative one, not a budgetary one. He says that the closure of the Domestic Violence clinic is analogous to the cancellation of any other course where a professor takes a sabbatical or is otherwise unavailable to teach. Raven-Hansen says, "It was hard to fit somebody in for only a semester, and a relatively small number of students are affected." Nonetheless, several sources have told *Nota Bene* that suitable fill-in candidates are indeed available from outside GW.

Professor Naomi Cahn, who teaches family law at GW and who formerly ran the domestic violence clinic at Georgetown, was asked by the

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## News Briefs

**GW Law Drops to 24th in U.S. News Rankings** (Friedenthal Presumed Apoplectic)

In the law school rankings published today by *U.S. News & World Report* magazine, GW Law has dropped from 22nd to 24th. Boston College and Notre Dame have moved ahead of GW in the new survey.

The rankings of all 179 accredited law schools in the U.S. is based on the following criteria: two measures of reputation, selectivity, employment success and faculty resources. GW was ranked 24th in reputation by academics and 20th in reputation by judges and lawyers. It is the 27th most selective law school, and ranks 19th in terms of employment success. As in past years, GW's ranking suffered in the area of faculty resources, which includes such variables as expenditures per student for in-

struction, library and financial aid. In this category, GW ranked only 56th.

At the top of the *U.S. News* rankings are Yale, Harvard, University of Chicago, Stanford and Columbia, respectively. Georgetown dropped from 12th to 14th place.

**Moldy Wall to be Scraped Next Summer**

According to Dean Peter Raven-Hansen, the Law School has budgeted a cleanup of the wall in the main stairwell, where the paint is peeling and mold and other fungi are growing. The stairwell problem is the result of a leaking roof on the quad side of Stockton, and must be corrected from the roof downward. As a result, professors with offices on that side of the building, namely Professors Schecter, Cheh, Barron and Starrs will likely be dis-

See BRIEFS, page 4

## Faculty Votes for New Profs

### Cunningham, Gulati Reject Offers

by H. Otis Bilodeau

Associate News Editor

The faculty in its February 14 meeting voted to extend offers of tenure-track positions to Renee Lettow and Peter Huang. At a previous meeting, the fac-

ulty had authorized offers to Professor Lawrence Cunningham and Mitu Gulati. Both Prof. Cunningham and Mr. Gulati declined the GW offers in favor of offers from other law schools.

According to Professor



Retiring Professor Maximillian Pock was the guest of honor at Law Revue XIX. (See page 9 for more photos.)

Lupu, chair of the Appointments Committee, no further tenure-track offers will be made this year, and faculty slots that remain open will be temporarily filled by visiting professors. Visiting professors are selected by the Dean, not by the faculty.

Ms. Lettow, who is presently a law clerk for Justice Kennedy, received her A.B., summa cum laude, in history from Princeton in '90. She won prizes for her work in history and English, and wrote her senior thesis on "Foreign Thought in Nineteenth-Century English Debates on Legal and Bar Reform." She also captained the women's club soccer team.

Ms. Lettow made the tough switch to football at Oxford, which she attended as Rhodes Scholar: she garnered the Best Player Award from her college's (Magdalen) Women's Football

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Nota Bene Editorial

## The Planning Committee Is On The Right Track

As reported in this issue, the Long-Term Planning Committee here at the Law School is actively engaged with a problem that's so much a part of our daily lives that we don't even think about how it got there. There's no question that students feel themselves to be in a sort of hostile relationship with the school -- it's expressed as cynicism about the Law School administration's motives, about the University administration, about the CDO, the facilities, disappearing exams, closed classes, the Smith Center's "hours of operation." We feel like we're getting scammed, duped. We feel like we're not getting what we paid for. People at other law schools have got it better. (Rubbing some insult into the injury, U.S. News has now shoved us down their list.)

But the "irony" the Committee and its chair, Prof. Peterson, have noted involves the fact that the professors here are, relative to many law schools anyway, actually *into* students. Most of the professors here do seem pretty accessible, eager to be teaching, and eager to interact with students. Yes, there are hermits and curmudgeons. But in general, if you want to go see a professor, you can do it. And you'll probably end up having a reasonably friendly conversation. Reportedly, a lot of law professors at other places (Harvard is notorious for this, rightly or not) don't squander their time in this fashion. Students don't even think about "dropping in with a question."

So we should feel kind of warm and nostalgic for the school when we get out of here, thinking back on all our personal bonds with the place. Only we won't. We don't feel that way now, and, according to Prof. Saltzburg, most of us won't feel that way later.

The fact is that the reason for this animus has nothing, or only very little, to do with our professors. Where does it come from, exactly?

That's the question the Committee seems to want to answer, and we say more power to them. In some ways, the simple fact that a committee at the Law School is actually thrashing around with the problem of "student disenchantment" represents substantial progress. We're starting to feel enchanted already.

Answering the question is tough, though. We frankly can't nail it, although we'd love to do so, and do so with a lathering of bitter sarcasm. Of course, the facilities -- a word which is already a kind of euphemism for this place -- make everyone feel like they're in a sort of New York P.S. 422 version of the Titanic as it goes under. Not good for morale. No groves of academe anywhere in sight.

And there's no sense of community. That's a maudlin, campaign-soiled word these days, but when it comes to feeling connected to a school, to classmates, teachers, when it comes to identifying yourself with the image and idea of an institution, that experience of belonging to something is what it's all about. When you think about whatever institution it is you actually remember fondly, chances are you'll also (a) feel good about identifying yourself with that extended community and (b) recall shared experiences -- group experiences that brought the camp, school, whatever, together.

It seems as though here at GW shared experience is typified by the inter-class hallway mosh pit. Beyond that, an entering class foregathers for a couple of hours at a kind of dark series of initiation speeches over at the Marvin Center, people who feel like paying \$70 per couple to go to Barrister's Ball do so, and people who want to pay to check out Law Revue do that. Not too much in the way of school-sponsored community events. Come to think of it, none of them take place at the Law School. And having to pay (in cash, from purse) for these things is deflating. Charge us a few more dollars in tuition (or give fewer to the University), but offer these things to us as part of our "experience." Offer more of them.

Obviously, the facilities (or lack thereof) and the community (or lack thereof) are related. If you want students to feel more connected to a place -- other than by bottomless debt -- you have to give us space to enjoy hanging out in. There are about 1800 of us in this place. Discounting drastically the hang-out value of the stasi-interrogation-room hard lounge, there are about 40 or so seats in the soft lounge. Of course, you can also go out and sit on the quad ... during any one of the 18 nice days DC enjoys during the school year. The "facilities" pretty much show students the door.

It's not just the building, and it's not just "community." What else is it? And what should the Law School do about it? Let the members of the Planning Committee know -- we think they're really trying to figure it out.

Views expressed herein do not necessarily reflect the views of The George Washington University Law School. House Editorials represent the views of a majority of Nota Bene's Editorial Board. Any person acting to views expressed in House Editorials are invited to express their opinions in a letter to the editor. Editorial Policies of Nota Bene are available for inspection by any person during normal business hours.

## House Editorial

## Letter to the Editor

Dear Editor:

I feel compelled to respond to some of the statements made in the Commentary column authored by Adam Heller which appeared in the February 18 issue of the Nota Bene. Mr. Heller made remarks regarding the Law Library's computer classroom with which I disagree. I normally would try to respond directly to an individual writing such a column or a letter, but since the Commentary suggested that the Law School might have acted improperly in using certain software, I feel that it is necessary to share this information with the entire Law School community.

In his Commentary, Mr. Heller states: "on information and belief, I understand that the computer system no longer has Microsoft Word, apparently due to the school's improperly obtained copy." I wish to inform Mr. Heller that the Law School purchased licenses for ten copies of Microsoft Word at the time the computer classroom was constructed in the Library during the summer of 1994. They were purchased subsequent to discussions held with student and faculty members of the Computer Committee. During those meetings, it was decided that this would be an option offered to students in addition to the WordPerfect software that is the system used throughout the Law School. We have experienced problems with viruses that affect only Word and not WordPerfect. These viruses are introduced into the computer classroom by students who do not take the requested precaution of checking their disks before using the computers. We have tried without success to remove the viruses and are still exploring ways of doing so. I understand that the other labs on campus have the same problem, and have resolved it by reloading software every time a user accesses a computer--a process which takes about 10 minutes and which greatly decreases the efficiency of the facility. At this time we have posted signs warning students that they would be using Word at their own risk and the Law School Systems Administrator is continuing to look into ways to deal with the problem.

I also wish to comment on Mr. Heller's statement that, with regard to computers, "nothing has changed in the years that I have been here." It is unfortunate that Mr. Heller is unaware that the computer classroom has improved significantly. Before the move to the Library, the computer lab comprised 18 286s and a laser printer. The old lab provided only word processing software--it was not networked for access to the Internet, GWIS2 (for e-mail), LEXIS, WESTLAW, or other resources. The new classroom was built during the summer of 1994 and featured 3 new dot-matrix printers and 2 new laser printers. New Pentiums were purchased for each of the 28 stations in the room during 1995, and 18 additional Pentiums were purchased for installation at the end of 1996 in the second computer classroom. The old computer room (pre-Library) was supported by one person--the Law School Systems Administrator. The computer classrooms are now supported by the Computer Services Librarian, an assistant, and several student employees. Technical support also is provided by the Law School Systems Administrator and his two assistants. Students can access the Law School Web site (also created within the past two years) which provides information from the Records Office, the CDO, and student organizations.

While I understand from my staff that all equipment in the computer classrooms is working as of this date, the computers and printers do break down. They are machines, and they have parts which need to be replaced at times. And, between the University bureaucracy and the companies with whom we must deal to get people here to repair them, it takes time. The staff of the Law Library does not ignore the problems with computers and, indeed, is trying very hard to keep up with the problems as they occur. If Mr. Heller or any other student believes otherwise, I encourage him/her to speak with me, or with student members of the Law Library Committee, or with student members of the Computer Committee.

Sincerely,

Scott B. Pagel

Director of the Law Library & Associate Professor

## From the Immigration Clinic...

The following is an actual letter received by the Immigration Clinic. The Clinic declined to represent this individual.

Dear Mr. Benitez:

A little over a month ago I visited the American Immigration Lawyers Association to discuss the possibility of obtaining legal advice and/or representation with respect to the convoluted circumstances I have fallen into as a result of the FBI's hateful assaults on my character as well as my livelihood because I have declared my color to be Gray, however, was referred to you for reasons not explained to me.

The underlying assumptions about my idea of a Gray race are familiar to everyone but if you want to know more or are somehow unaware about this concept, I will provide

See LETTER, page 3



## Nota Bene

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## SBA \$100,000 Proposals

On Tuesday, February 4, 1997, from 10a.m. to 8p.m., students will be able to vote on the distribution of the \$100,000 discretionary fund administered by the SBA. After the balloting, the proposals will be ranked according to the number of votes received. Then, the money will be distributed by rank until it is all gone. The proposals (self-described, unedited and listed alphabetically) are as follows:

### D.C. Law Students in Court-\$65,000

Clinical program providing unique and valuable opportunity for students to develop skills and gain experience as a trial lawyer while representing indigent clients in D.C. Superior Court. The civil division handles mostly landlord-tenant small claims matters. The criminal division handles misdemeanor and juvenile cases. Students manage all aspects of litigation.

### Loan Repayment Assistance Program (Loan Forgiveness)-\$30,000

The Loan Repayment Assistance

Program makes available to recent law school graduates the opportunity to qualify for assistance in re-paying their loan obligations. Recent graduates qualify by working with an indigent or under served population. Currently, the LRAP program relies almost entirely on this student vote. Please show the administration your support for LRAP by voting today to continue it.

### Phi Alpha Delta and Phi Delta Phi-\$5,000

Phi Alpha Delta and Phi Delta Phi, George Washington's law fraternities, are joining together to request a block grant of \$5,000 of the SBA's \$100,000. These funds will be used to finance social, academic, and public service activities at the Law School.

### Public Interest Coalition (APALSA, BLSA, EJF, HLSA)-\$20,000

The Public Interest Coalition, comprised of APALSA, BLSA, EJF, and HLSA, request \$20,000. The money will be divided equally among the organizations. The money will be distributed as public interest fellowships and scholarships open to all students.

## LETTER from page 2

a thorough explanation upon request (or the same information can be obtained from the FBI); however, because these federal agents have developed an obsession with me, I believe discussing my legal predicament would be more appropriate here. Basically, they are invading my privacy with surreptitious audio and video equipments; engaged in a process of spreading misinformation and disinformation for the purpose of not only discrediting me because of my intention to promote my idea, but also for making their fabrications more convincing in the event of a frame-up for criminal activity; using their influence to undermine my efforts to earn a decent living as well as other pursuits; tacitly threatening me with physical harm if I were to seek help with my case or write about these experiences and the people involved; and denying all involvement in these activities while concurrently spending money on preventing me from obtaining legal assistance to fight this problem thereby setting the record straight.

Therefore, the question which arises is not a very complicated one: how does one get a person in the legal profession to provide their expertise with such a case when the government is neither disengaging itself from this situation it has created nor willing to atone for its mistakes? I should make clear that regardless of whether or not a Gray race comes to be, I will always consider myself to be racially of this color so, the tactics used by them to alter my personality, beliefs, and opinions are doomed to fail because I will obviously not succumb to such pressures and while I am not so naive as to believe that you are unaffected by government restraints, I have nevertheless written to inquire if you are able or willing to apply your know-how to this case as much as possible given the negative impressions you possibly have of me as well as your predisposition towards the FBI? If you decide in favor of offering guidance, please leave messages at (deleted) and in case I do not hear from you within some days, I will contact you to determine what your position is. Thank you.

Sincerely,  
 (deleted)

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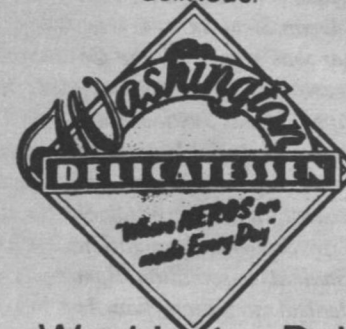
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## DV CLINIC from page 1

Law School to oversee the clinic in Professor Meier's absence. Professor Cahn says she "considered but declined the offer." Still, she says, "I am very much in support of trying to find ways of keeping the clinic open in the fall." There is no indication that the administration considered candidates from outside the Law School.

A number of student groups upset about the closure decision have sent an open letter to Dean Jack Friedenthal (see box) asking that the clinic be kept open. The letter, drafted by the Equal Justice Foundation, says that the clinic's "discontinuance would be an injustice to the students and the community."

Sunita Subramanian, a 2L and Co-Chair of EJF says, "We intended not to take an adversarial stance with the administration [in the letter], but rather to demonstrate that there is substantial student support for the clinics . . . and substantial interest in this clinic. We got

almost all student groups on campus to sign the letter." She says, "The next step is to work with Dean Sirulnik to see if there's anything we can do. He's lobbying to keep the clinic open."

The chief objection to the closure from members of the EJF and other students arises from the fact that the clinic is ordinarily two semesters long. They say compressing the clinic into one semester shortchanges students in two ways: (1) it limits the work they can do on their cases, and (2) it deprives students of a chance to work extensively with an expert in the field.

Dean Raven-Hansen stresses that the closure of the clinic is "not a permanent change of any kind." Indeed, Professor Meier has already committed herself to reopening the clinic for the second semester of next year, according to Dean Eric Sirulnik. Says Dean Raven-Hansen, "It will be open in spring (1998) come hell or high water."

## Student Groups' Letter Opposes Clinic Closure

The following is a letter which was sent to Dean Friedenthal asking that the Domestic Violence Clinic not be closed for the fall semester of next year. Copies were also sent to Dean Raven-Hansen and Dean Sirulnik.

The letter was signed by the Co-Chairs or Presidents of the following student groups: Equal Justice Foundation; Hispanic Law Students Association; Asian Pacific American Law Students Association; Federalist Society; Black Law Students Association; Jewish Law Students Association; Family Law Students Association; Law Association for Women; Student Intellectual Property Law Association; Lambda Law Association; International Law Society; George Washington Law Democrats; Christian Law Association; and Amnesty International.

Dear Dean Friedenthal:

We are writing in support of continuing the Domestic Violence Advocacy Project during Professor Joan Meier's absence next fall. It has been brought to our attention that Professor Meier will be spending the Fall Semester 1997 at Washington & Lee and that there is the chance that the clinic will be discontinued in her absence. Discontinuing the clinic would be a great loss to next year's third year students and the community at large.

The Domestic Violence clinic is a unique program that provides an invaluable opportunity for third year students to represent clients. The clinic never fails to solicit more applications from students than it can accommodate. The GW Law community is saturated with students who have interests in domestic violence, women's issues, and the representation of indigents. In fact, many students either came to George Washington due in part to the opportunity to participate in this clinic or have planned on applying to the clinic since their first year.

Needless to say, domestic violence is a great societal problem with few resources available for victims, in the District of Columbia. Access to legal representation is crucial in the victim's struggle to remove himself or herself from a destructive situation. The Domestic Violence Advocacy Project provides a unique and exceptional service to our community.

We ask and hope that the Domestic Violence Advocacy Project not be discontinued for even one semester. Its discontinuance would be an injustice to the students and the community.

## BRIEFS from page 1

professors, the work will be performed during the summer.

### Prof. Schechter Garners University Service Prize

The University has awarded Professor Schechter the "Oscar and Shoshana Trachtenberg Prize" for outstanding service to the University. During his tenure at the Law School, Prof. Schechter has contributed to numerous University and



Law School committees and events, and has been selected by law students as the Law School's outstanding teacher. In addition to recognizing service, Trachtenberg Prizes are

awarded for research and teaching. Only undergraduate professors are eligible for the teaching prize, however. This is the second year in a row that a Law School professor has snagged the service prize; Professor Park received it last year.

### Prof. Strand Wins Clinical Award

The D.C. Bar Foundation has awarded Professor Joan Strand the fifth annual Jerrold Scout Prize.

Professor Strand, a 1975 graduate of the Law School, has taught in GW's clinical program since 1979 in the area of family law and civil liti-



gation.

The prestigious prize has been awarded annually since 1993 and goes to legal services attorneys who have devoted an extended period of time in their practice to delivery of direct legal services to D.C.'s poor.

The prize was created by the law firm of Zuckert Scoutt & Rasenberger to honor Mr. Scoutt, a senior member of the firm, who has devoted much of his energy as an attorney to the public interest practice of law. The award carries a small stipend and is much respected among members of the bar.

Prior winners include Ann Marie Hay of Law Students in Court, Paula Scott of Neighborhood Legal Services, and Lynn E. Cunningham, formerly of Neighborhood Legal Services, and currently a clinical professor at GW.

### Up For Tenure...

The following faculty members are now under consideration for tenure:

**Paul Butler, Associate Professor of Law**

**Burlette Carter, Associate Professor of Law**

**Bradford Clark, Associate Professor of Law**

The student members of the Faculty Tenure and Promotion Committee are soliciting student comments on each professor's accessibility, knowledge of the subject matter taught, approachability, and interaction with students.

All comments should be anonymous and delivered by Monday, March 10 to either Dawn Groman (3L-Day) or Dorothy Graham (3L-Day). Improve the student voice in the composition of the faculty -- send your comments today.

## Shapiro Public Interest Fellowships Available

### By Prof. Joan Strand

Chair, Public Interest Subcommittee on the Shapiro Fellowship Program

The J.B. and Maurice C. Shapiro Public Service Fellowship Program provides for two or three students to be selected to serve as "J.B. and Maurice C. Shapiro Public Service Fellows" and receive awards of up to \$10,000 per year in tuition remission. This fellowship program provides financial assistance to third year students doing part-time internships at non-profit public service organizations during the 1997-98 academic year. Applications are available now in the Career Development Office and must be returned by April 25, 1997.

To be eligible for this program, third

year students must commit to work 20 hours per week for 12 weeks during both the fall and spring semesters. The non-profit public interest organizations where students arrange to work must be located in the D.C. area. Preference will be given to applicants representing, directly or indirectly, indigent individuals or populations, interests that would not otherwise be adequately represented, and environmental organizations; however, all public interest work will be considered. Students are not permitted to receive any compensation from the public service employer.

Students selected for the Shapiro Public Service Fellowship Program will

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# Loan Forgiveness Available GW Graduates in Public Interest Jobs

by Professor Joan Meier

This Spring, for the third year, GW offers new and recent graduates the support of the Loan Reimbursement Assistance Program (LRAP). The LRAP, which was first implemented in 1995, seeks to further the school's commitment to equal access to justice, and to alleviate to some extent the financial burdens of those who choose public service. Students graduating in 1997 (or since 1990) who are interested in public interest employment, and who must repay law school educational loans, are invited to apply.

The LRAP offers assistance of up to \$8,000 per year to graduates with educational debt who choose eligible public interest employment. Public interest employment includes legal work for non-profit organizations qualifying for tax exemption under IRS Code §§ 501(c)(3), (c)(4), or (c)(5), for-profit entities providing more than half of their services to individuals and organizations which cannot otherwise afford legal services or whose interests are under-represented, and for the government if the applicant's work is primarily on behalf of indigent or under-represented populations. Preference will be given to applicants who will provide legal services to indigent individuals or under-represented populations. In past years, graduates working at Dade County Public Defender, Legal Aid Society of D.C., Vietnam Veterans of America, American Civil Liberties Union Capital Punishment Project, Minnesota Advocates for Human Rights, and People for Ethical Treatment of Animals, among others, received LRAP grants.

## NEWPROFS from page 1

Club. She also received her M. Litt. in Modern History, writing on "Codification and Consolidation of English Law in the Early Nineteenth Century."

After coming down from Oxford, Ms. Lettow attended Yale Law School, where she won prizes for papers on legal history and the Bill of Rights (she snagged the same Bill of Rights prize that Prof. Rosen had claimed as his own just a few years before). She also served as an editor of the Yale Law Journal and the Yale Journal on Regulation, and worked at the New Haven Trio Project for Battered Women. Ms. Lettow received her J.D. in '95.

Prior to her clerkship with Justice Kennedy, Ms. Lettow clerked for Judge Williams on the D.C. Circuit. Her teaching and research interests include civil procedure, criminal procedure, legal history, evidence, administrative law, and comparative law.

Peter Huang will join the faculty to teach "in the area of corporate law and related topics," according to Prof. Lupu. Mr. Huang, like Mr. Gulati, trained in economics and would bring a Law and Economics perspective to the Law School.

Mr. Huang is slated to receive his J.D. from Stanford, where he has benefitted from a number of fellowships, this June. Before attending Stanford, though, Mr. Huang received an S.M. from Harvard and a Ph.D. from Harvard, where his dissertation addressed "Asymptotic and Structural Stability of Signaling Equilibria." Mr. Huang attended Princeton as an undergraduate, and received his A.B., in economics, in '76. He is 39 years old.

Mr. Huang has taught, primarily in the area of economics, at a number of institutions (including Stanford, Berkeley, Tulane and Iowa) over an approximately 11-year period. He's also worked at the FTC.

Mr. Huang is a prolific scholar. His legal writings

Grant amounts will vary, based on a formula that takes into account the applicant's annual income from public interest employment, the amount of the graduate's law school debt, any spousal income, and the number of dependents. Graduates whose adjusted net income (annual gross income minus annual debt payments and deductions for dependents) is less than or equal to \$25,000 are eligible to apply. Primary factors affecting selection of grantees will be (1) the nature of the employment, (2) the applicant's commitment to public interest work, and (3) the applicant's and organization's financial need. The number and amount of grants each year depends on the quantity and quality of the applications and the availability of funds.

If you are considering public interest employment, the Public Interest Committee encourages you to obtain a copy of the program description and application forms from the Financial Aid Office to ascertain whether you qualify for these benefits. Program materials will be available on or after March 1, 1997. If after reviewing the Application Packet you have further questions, please contact 3L Russell Jacobs or Professor Joan Meier by telephone (994-7463) or in person at the Clinic (2000 G St). To receive priority consideration, completed applications must be returned to the Financial Aid Office by April 24, 1997 (last day of classes). Applications after that date will be considered on a revolving basis if funds remain available. Awards will be made on or around May 5, 1997.

include articles on Game Theory and the law and "Emotional Responses in Litigation." Among his many working papers are: "Public Interest Litigation: An Options Perspective to the Contingency Multiplier," "Anger or Envy-Avoidance in Coasian Bargaining," "Fiduciary Investing Law and Network Externalities: Duties of Loyalty and Care," and, most intriguingly, "Does Being a 1L Foster Distrust and Preemptive Dishonesty?"

Mr. Huang's works-in-progress include: "The Symbolic role of Underenforced Laws," "Transformative Default Rules in Contract Law," and "Uncertainty Over Uncertainty: Implications for Regulating Derivative Securities."

Mr. Gulati, whose areas of expertise overlapped those of Mr. Huang, but who would have been a first-time teacher, declined GW's offer in favor of one from UCLA. Prof. Cunningham, who is a Visiting Professor at GW this year (covering Corporations, the Contract Law Seminar, and Law and Accounting), decided to return to Cardozo rather than move to D.C. to join GW.

Prof. Cunningham announced his decision to his Law and Accounting class and, in a memo, to the faculty of the Law School. He wrote that choosing between GW and Cardozo had been "the most difficult professional decision I have ever made," noting that many people at both schools had provided "expressions of support and confidence."

Ultimately, Prof. Cunningham explained, he resolved what he termed a "happy dilemma" based on "a sort of gut feeling." "The major factor for me, finally, was geographical: the New York, D.C. thing. I pictured myself getting up and walking down Fifth Avenue in the morning, and then walking down Pennsylvania Avenue. Which way do I want to wake up each day? The decision was made at a visceral level."

Chalk up one for the City.

## COMMITTEE from page 1

at home and take part in classes on line using their laptops."

There seems to be little doubt among those on the Committee that the current Law School facilities don't make the grade. "I think the sense of everyone here is that this facility, with the current number of students and as presently configured, is inadequate," Prof. Peterson said. "There is a felt need for more space," Prof. Saltzburg echoed.

In addition to Profs. Peterson and Saltzburg, the Committee consists of Dean Stanek, Associate Dean Raven-Hansen, and Professors Gutman, Mitchell, Morgan, Pagel, and Schechter. Dean Friedenthal appoints faculty to serve on the Committee.

The number of students is another central concern of the Committee. In fact, Prof. Peterson explained, the Committee's original mandate from the Dean involved only the relatively narrow issue of class size. Should the entering class be reduced in number? Would such a reduction be financially viable? How would it translate in terms of the quality of the students? These were the questions the Committee first confronted, and they remain fundamental to its enterprise, according to Prof. Peterson.

Prof. Saltzburg explained that the "disenchantment cycle" has deep roots, and noted that it involved student perceptions of the University, not the Law School. He said that in conversations with alumnae "going back as much as 25 years, there is a remarkable consistency in their resentment of the University. . . . As long as there is a perception [among students and alumni] that the Law School is still being mistreated by the University, most alumni don't want to be co-conspirators" by giving funds that end up going to the University.

Prof. Saltzburg said he believed the Law School should be able to assure potential donors that their funds will benefit the Law School. "I believe that we need to create a system where we keep the vast bulk of the endowment we create," he said, noting that he was expressing his own opinion and not speaking on behalf of the Committee.

Prof. Peterson said the Committee was not addressing the Law School's distribution of its revenues to the University, since that issue "was resolved in the agreement brokered by the ABA." As a result of criticisms from the ABA Reaccreditation Committee, the University and the Law School agreed last spring that the Law School will gradually reduce the percentage of revenues it distributes to the University.

Prof. Peterson stressed that the Committee intended to solicit students' perspectives on the issues before it. The Committee tentatively plans to present some findings and recommendations to the Dean and to the faculty at the end of this semester, according to Prof. Peterson.

"I hope that by then we'll be able to put into some concrete form a sense of what our goals should be, in terms of how to provide for education and facilities over the next ten years, and we hope to provide the Dean with a number of options for how we might best achieve those goals," Prof. Peterson said.



# News

## GW to Offer New Dispute Resolution LL.M.

by H. Otis Bilodeau  
Associate News Editor

Aiming to establish itself as the educational leader in the growing field of alternative dispute resolution, GW Law School will offer in '97-'98 a new LL.M. program in "Litigation and Dispute Resolution," according to Professor Stephen Saltzburg, the director of the program.

The new program, which will require a year of full-time study (two years for part-timers) incorporates the College of Trial Advocacy currently helmed by Prof. Saltzburg. In addition, the program offers a number of other traditional litigation-related courses, including Advanced Evidence, Advanced Trial Advocacy, The American Jury and Pre-Trial Practice.

The program's novelty, however, lies in its course offerings in non-litigation dispute resolution: International Dispute Resolution, Mediation, and Negotiation and Conflict Management Systems Design. According to Prof. Saltzburg, "there's nothing quite like [this program] out there" in legal education.

"I would guess that of a sample of 100,000 law



Prof. Saltzburg

school grads, only 2,000 of them have been exposed to anything but traditional trial advocacy," Saltzburg noted. "But a lot of clients don't want to go to court ... I don't know how you'll be able to sit down with a client and give really good advice without understanding the range of dispute resolution options."

Much of Prof. Saltzburg's enthusiasm for non-litigation approaches to conflict stems from his personal experience as a mediator for the D.C. Circuit Court of Appeals. "I've been very impressed with the success rate" in the mediations, he noted.

The program is designed primarily for practicing attorneys in the relatively early stages of their careers. Prof. Saltzburg said he was uncertain how much actual demand for this kind of program exists in this target population, but he was optimistic about the program's future. "These [dispute resolution methodologies] are to my eye the wave of the future procedurally ... my hope is

that we will create the demand. I believe people will look back and say GW was the leader in this area."

The Law School administration's decision to go ahead with the program was substantially influenced by the notion that the Law School would be taking such a leadership role. "The Dean's view was that we'd be breaking new ground, and that's what a first rate school should be doing," Prof. Saltzburg recounted.

In addition to Prof. Saltzburg, Assoc. Dean and Professorial Lecturer Alfreda Robinson will serve on the program's faculty. The program's adjunct faculty will consist of: Cathy Costantino, director of the FDIC's national alternative dispute resolution program; David Douglass, litigation attorney with Wiley, Rein & Fielding; Judge Richard Levie, of D.C. Superior Court; John Ragosta, partner at Dewey Ballantine; James Schaller, partner at Jackson & Campbell; Nancy Stanley, director of dispute resolution for the D.C. Circuit; and Judge Ricardo Urbina, of the U.S. District Court for the District of Columbia.



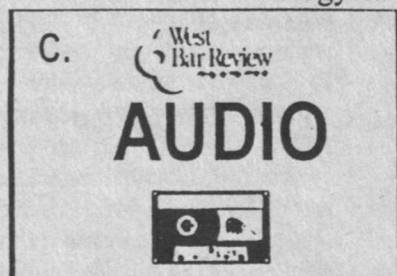
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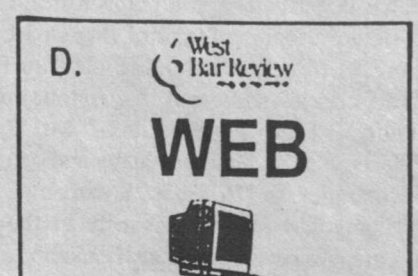
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# Law School News

## Library News

Library Research Sessions  
Spring 1997 (revised)

Basics of Trademark Law Research  
Date: Thursday March 6  
Time: 3:30pm - 5:00pm  
Place: Stockton cellar, SL110

Researching EPA Administrative Documents  
Date: Tuesday March 11  
Time: Noon - 1pm  
Place: Burns 408

Training Session on Matthew Bender's and Bureau of National Affairs' (BNA) Cd-rom Databases  
Date: Tuesday March 18  
Time: Noon - 1pm  
Place: Burns 408

Researching Government Contracts Law on the 'Net  
Date: Thursday March 20  
Time: 3:00pm - 4:15pm  
Place: Computer Classroom

United Nations Documents for Dummies, or: "No, It's Not Just You Who's Puzzles..."  
Date: Thursday March 27  
Time: 3:00pm - 4:00pm  
Place: Stockton cellar, SL110

The Most Useful Government Documents Sites On the Internet  
Date: Monday March 31  
Time: 5:10pm - 5:50pm  
Place: Computer lab

Environmental Law Research Using Lexis and Westlaw  
Date: Tuesday April 1  
Time: Noon - 1pm  
Place: Burns 408

Researching D.C. Law  
Date: Wednesday April 2  
Time: 5:10 - 5:50pm  
Place: Stockton cellar, SL110

Basics of Using the Index to United Nations Documents Cd-rom Database  
Date: Thursday April 3  
Time: 3:00pm - 4:00pm  
Place: Stockton cellar, SL110

Locating Environmental Law Materials on the Internet  
Date: Tuesday April 15  
Time: Noon - 1pm  
Place: Burns 408

### Update on Exams

Exam packets will be available in the library beginning Monday, March 10. The library is still receiving copies of exams from the faculty and we want to be sure exam files are complete before making available the order forms for copies of the exams. Thank you for your patience!

## Dean's Note

by Frank D. Durand  
Assistant Dean for Student Affairs

No sports chat from me this edition. Rather, I would like to take this space to thank, on behalf of the Student Recruitment Committee, those students who participated in last Wednesday's admitted student calling campaign (if I wasn't afraid I'd leave somebody out, I'd list you all individually). Your contribution is much appreciated, and we hope to see you, and anyone else interested in helping out, again on Wednesday, March 19.

And now, some news.

**Item 1:** The Fall 1997 registration process will soon be upon us. Registration packets will be distributed next week. Along the lines of Fall 1997 registration...

**Item 2:** ... for first-year students stepping into the batting cage to take their first cuts at class scheduling, the Student Affairs Office will offer its annual series of academic advising sessions. At these sessions, to take place **March 10-19, 1997**, faculty members will discuss various areas of legal study and offer guidance in course selection as you prepare to register for the Fall 1997 semester. Advisement sessions will begin on **Monday, March 10, 1997** with mandatory sessions on the registration process and graduation requirements. All first-year students will receive a copy of the academic advisement session schedule in their mail slots.

**Item 3:** All first-year students who intend to become joint degree candidates must attend an advisement session with Dean Robinson on **Friday, March 14, 1997 at 2:15 p.m. in room L202**. The requirements of the joint degree program will be discussed.

For now, that is all.

## SHAPIRO from page 4

receive financial aid in the form of credit against tuition for their third year of law school. Half of the annual award amount will be provisionally credited against tuition at the beginning of each semester, and will be converted into a final credit after the public interest employer certifies that the required work was completed. Shapiro Fellows also may receive academic credit for their work through the Outside Placement Program (Law 633).

To apply for the Shapiro Public Service Fellowship, students must make arrangements with a public service employer and submit an Employer Commitment Letter (contained in the application packet) with their completed application. As financial need is a factor in the award of these Fellowships, students must provide financial information if they do not have a current financial profile on file in the G.W. Law School Financial Aid Office.

The J.B. and Maurice C. Shapiro Public Service Fellowship Program seeks to provide students with the opportunity to perform legal work for public interest organizations by providing compensation for such work. A program description and application packet are available at the CDO. Completed applications (including Employer Commitment Letter and financial profile information) must be submitted to the Career Development Office by April 25, 1997.

## Clinic News

Clinical Scholarship Available to 2L with public interest and clinic experience

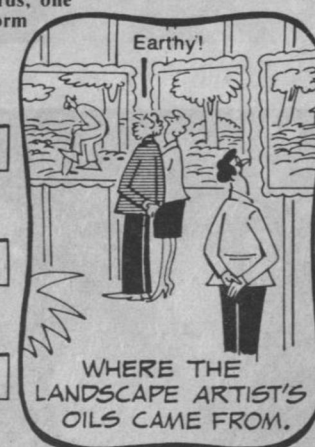
The Community Legal Clinics is now accepting applications from current second-year students interested in applying for the Jacob and Charlotte Lehrman Foundation scholarship for the Clinic's student director position. Under the terms of the scholarship, approximately one-half annual tuition for the third year is awarded to a student who has demonstrated a commitment to public interest law, has participated in any of the National Law Center's clinical courses, or who will be participating in a clinical course in his or her third year.

The recipient of the award will act in an administrative role as the Clinic's student director for the 1996-97 academic year, as well as be eligible to participate in the Civil and Family Litigation Clinic (Law 624), Federal and Appellate Clinic, (Law 625), or Vaccine Injury Project (Law 626). Interested students should prepare a brief (one or two page) statement describing their interest in public interest law and whatever relevant Clinic or other experience they might possess in litigation, case management, or other legal experience. Qualified students demonstrating a financial need will be given priority consideration.

Applicant statements as well as a current resume, should be directed to Dean Eric Sirulnik, c/o Community Legal Clinics, 2000 G Street N.W., Suite 200 and must be received by March 21st for consideration. Dean Sirulnik and his clinical staff will interview applicants and reach a decision by April 4th.

Unscramble these four words, one letter to each square, to form four ordinary words.

VIRTE				
FLOTY				
SIBULY				
WHARTT				



Now arrange the circled letters to form the surprise answer, as suggested by the above cartoon.

Print answer here: 

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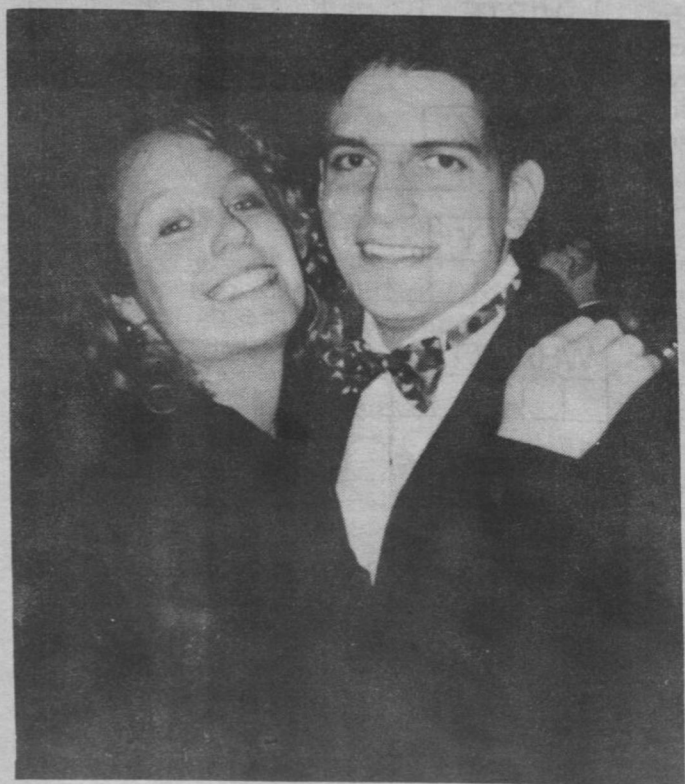
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Answers on page 17



# Barristers' Ball 1997





# Law Revue XIX





# Life on the Web

## The Daily News

by Andrea Chempinski  
Staff Writer

Most of us like to stay current with the latest national and international news, but let's face it: sometimes we're lucky to remember to eat once a day, much less catch the news. In an effort to keep the GW Law community updated, I am covering some of the highlights of the online news community.

TIME Magazine

<http://time.com>

TIME magazine does a great job with their website in covering both the national and global issues of the week. One of the nicest subsections lets you see a complete list of current news stories -- and you don't have to flip past all the advertisements to do it. The only downside is that you can see the text of articles but none of the pictures that would accompany the articles in the hardcopy format (they have to save something for the people who actually pay for it at a newsstand!). Also included are subpages for their AllPolitics page which has chats with various political figures as well as transcripts from other online chats with national and world leaders. And for those who only want today's news,

TIME also has a daily version of events.

New York Times

<http://www.nytimes.com>

The Times online site is rather nifty in its layout. The opening page looks just like the front page of a real newspaper, except that it is a fully interactive image map. The page includes a "late news update" as an opening story. From there, you can go to any of the standard newspaper sections. The only drawback to the page is that you have to register in order to use it. While it's nothing strenuous (you need to provide a name and E-mail address the first time in), it is a bit of a drawback in that you know have one more I.D. number and password to remember. One unique aspect of the online version of the Times is its user forum that allows certain areas for discussion of news topics of the week.

The Washington Post

<http://www.washingtonpost.com>

DC-ites will be happy to know that The Washington Post online site tops the New York Times site. Not only is subscription not required, but the Post site is also much more navigable than the Times site. Best features of the Post page include daily updates every few hours as well as a search function that allows you to search the daily edition (as well as past editions) by author or subject. The introductory page includes the available search functions, a list of internal links to various sections, and the top stories of the hour. And if you can't seem to function without seeing the front page, the site allows you to see a graphic of the front page before you go into the articles! Unique to the online version of the Post are a searchable TV guide, a database containing the first chapters of over 300 books, and my favorite, the feature "SimWashington" where you can download DC scenarios for SimCity 2000 (you must own a copy of SimCity already).

CNN

<http://www.cnn.com>

Of course for the complete news of the day or week, nothing tops CNN's news page. The page covers everything that the regular cable channel does. You want politics? They have it. You want entertainment? World news? National news? They have all that and more. This site definitely has the best introductory page of all the news sites I found. Not only does it allow you to navigate to the section that you want, but it also lists the top headlines in each area so that you can get a quick overview before opening it. The page also has a built in search function to research past stories covered by CNN. And those who really think they know what's going on can take the News Quiz.

MSNBC

<http://www.msnbc.com/>

Despite its affiliation with Microsoft, the webbed version of CNBC news isn't all that spectacular. The page picks some of the more important stories of the day rather than covering all the news. The only real plus to the site is a customizable front page section where you can pick and choose what you want to load if you visit regularly. Unfortunately the site is rather slow, so it is better to use one of the other news sites.

Other

Of course these aren't the only news services out there on the web, but they are some of the most popular. People looking for hometown papers may find them if the paper is big enough, and even a few small town papers have pages. Also most of the national and local networks have areas devoted to the news of the day. Among news magazines, however, TIME's page is rather unique; Newsweek publishes a few articles and so do a few others, but none have quite the extensive web presence as TIME.

The next time you're trying to find out what's happening in the world try finding the news online!

Comments or suggestions on this column can be sent to Andrea at [hooloo@crl.com](mailto:hooloo@crl.com). Or if you're really curious you can check out my web page at <http://www.crl.com/~hooloo/>

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Liberian Social Justice Foundation Inc.

P.O. Box 31438 • Cincinnati, OH 45231  
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Dear Prospective Member:

Liberia should have a special place in the conscience of the United States of America. Its impetus to become a nation came from the United States. For 149 years, it was a stalwart ally of the United States. Yet for the past years, as a civil war has taken almost 200,000 lives, displaced more than two-thirds of the population and destroyed its infrastructure, the United States has treated this great tragedy as a regional problem.

Liberia has a unique historical and cultural link to the United States. Settled by African Americans, many of them former slaves, in the early decades of the 19th century, Liberia became a republic in 1847. The United States influence on Liberia is reflected in the African nation's constitution, the star and stripes of its red, white and blue flag, the structure of its government, the names of its cities, its schools' curriculum, its official language and the remarkable degree of good will its citizens feel toward America. Through all the major conflicts of the 20th century, Liberians been among the most dependable allies of the United States. In both World Wars, Liberia declared war on the enemies of the United States and offered vital air bases, ports, and natural resources to support the United States military. During the Cold War, Liberia voted with the United States on every significant resolution at the United Nations. It hosted facilities for electronic monitoring and became the largest base for United States intelligence-gathering in Africa.

Yet when Liberia's security was most at risk because of civil conflict the United States government deferred to ECOWAS, an under-funded regional organization composed of some of the world's poorest nations. Half of the \$10 million earmarked by the United States to support a peacekeeping force had not been committed by April 1996. Meanwhile, the cost to the United States of responding to the humanitarian crisis since 1990 has been emergency relief assistance valued at over \$445 million, over \$66 million provided in the past year alone, more than eight times the amount committed to peacekeeping.

In the absence of a viable security plan, the torrent of refugees continues to undermine Liberia's relations with its immediate neighbors. Though the United States has implored those nations to admit Liberian refugees, its own record of Liberian admissions decries the long relationship with that nation.

The approach to achieving peace in Liberia has revolved around the ECOWAS process for six years. This process has, in turn, been dependent on a core group of ECOWAS nations with the will and very limited resources to engage in diplomacy or to commit forces for peacekeeping. Fourteen peace agreements have been largely brokered without the United States and other international parties, such as the United Nations or OAU, present with ECOWAS as working partners at the negotiating table. The result of this agreements and the resources, and leverage, necessary for successful implementation, This failure to produce a concerted approach to all aspects of the peace process, from mediation to negotiation and implementation, produced the tragic results that we have witnessed in Liberia.

On August 17 the Economic Community of West African States (ECOWAS) concluded meetings that provide a new timetable for the peace process. Starting August 20, the warring factions are to observe a cease-fire, dismantle checkpoints and withdraw from zones of combat. The peacekeeping force, expanding from 8500 to 18000 troops, is to deploy throughout Liberia in November. Demobilization is to be completed by January 31, Elections are to be held on May 31 with a turnover to an elected government on June 15. The revised plan calls for sanctions against members of the warring factions that obstruct the peace process. Sanctions include restrictions on travel, freeze on economic activities, exclusion from electoral process, and war crime charges.

Now the United States has another opportunity to assert its international leadership at a critical juncture to ensure that the success of the new peace process. This leadership will not lead to an involvement of United States troops. It does mean that the United States must heighten its diplomatic efforts to help coordinate the process of peace and gather the funding that is necessary for effective peacekeeping and demobilization in Liberia.

The United States should take the necessary steps to ensure that its commitment of \$30 million to support the ECOMOG peacekeeping force is obligated before the end of the fiscal year 1996. While the United States pledge of \$30 million is a step in the right direction it will not alone enable a doubling of ECOMOG to the 18,000 troops necessary for deployment by November. It is vital that the United States provide additional funds to make up this shortfall or take the lead to obtain significant pledges from other donor countries. A top priority of the United States should be the implementation of a serious program for demobilizing Liberia's combatants. Regretfully, no additional funding has been pledged by the United States to improve what was an inadequately funded and designed demobilization plan. In fact, some of the funds allocated in early 1996 for reintegration of Liberia's 60,000 combatants have been diverted elsewhere. The United States should take the lead in designing a comprehensive demobilization program. This program will not involve United States troops, but should include the resources for every stage of demobilization from encampment to training and counseling of combatants. A contribution of \$20 million (non-food related) from the United States will provide the resources necessary to initiate a wellconceived demobilization program and encourage future contributions from other international donors.

President Clinton and the United States Congress must make Liberia a priority on our foreign relations agenda in Africa. United State leadership is critical if the key elements are to be achieved on schedule under the new peace plan. This leadership will not lead to an involvement of United States troops. It does mean that the United States through its Special Envoy, must heighten its diplomatic efforts to coordinate the implementation of the peace process and gather the additional resources necessary for effective peacekeeping and demobilization.

The United States should strengthen the response of the international community to the needs of the peace process. The foundation for a new international approach to the peace process already exists with the International Contact Group for Liberia, the group of donor countries that have pledged support to the peace process. The concept behind the ICGL should be expanded to a tightly coordinated partnership that includes the United States, ECOWAS, and the United Nations. This high level of cooperation will ensure that scarce resources are effectively utilized.

The outbreak of fighting in Monrovia in April-May of 1996 was the latest in a series of clashes in Liberia's intractable war. During the past nearly seven years, the war has produced shocking humanitarian conditions for Liberian civilians. The most recent fighting exacerbated even further these conditions. Humanitarian assistance organizations have been unable to deliver food and other emergency services because of the fighting in Monrovia. Their resources looted by gangs of combatants and the safety of their relief workers threatened, these organizations closed or dramatically reduced their operations in Liberia.

As a result of the civil war in Liberia, an estimated 800,000 Liberians are internally displaced; another 800,000 are refugees in neighboring countries that are among the poorest in the world. Approximately 50 % of the population in Monrovia, upwards of 350,000 persons, were forced to flee their homes due to the April-May fighting and another 3,000 died. During June-July some 3,300 new cases of cholera were reported in Monrovia and a July survey found malnutrition rates for children in displaced shelters have increased up to 25%.

Now that the dust of the Civil War in Liberia is settling down, an era of a NEW LIBERIA is at hand. Whether anyone likes it or not, an leadership is bound to emerge, supposedly to shoulder the national responsibilities of politics and administration and to ensure the continued survival of the Liberian people and culture.

That such leadership will be genuine and committed is a matter that you as Liberians and friends of Liberia can decide, or at least influence. But choosing national leadership is a serious and difficult business. In Liberia, bombed-out homes and shops are painful reminders of what happens when leaders are chosen unwisely. We cannot allow this to happen again. This is why the Liberian Social Justice Foundation is campaigning for PEACE, SECURITY, SOCIAL, ECONOMIC, EDUCATIONAL AND POLITICAL JUSTICE IN LIBERIA.

The Liberian Social Justice Foundation has carefully examined the administrative and operational policies of both the past and present administration in Liberia, and in our candid opinion, much more needs to be done to help Liberia go in the direction she needs to go. We as Liberians must try to have a positive influence on the selection of the national programs and the corresponding leadership which will inevitably affect our lives and the lives of our people for many years to come.

My fellow Liberians and Friends of Liberia, the Liberian Social Justice Foundation has embarked on a mission to ensure that PEACE, UNITY, SECURITY, FREEDOM AND SOCIAL JUSTICE prevail in Liberia. This is an awesome responsibility that can only occur if we cooperate as a team. History will judge us not by what we say, but by what we do. With God and the determined mind, there is nothing we cannot achieve for our Liberian Society. It is in this light that I urge you to support and contribute to the Liberian Social Justice Foundation's programs.

Liberia, the African nation established in the 1800s by freed American slaves, has been torn by civil war since 1989. What does the Liberian Civil War mean to Americans in terms of health care, humanitarian relief, stability throughout Africa and the continuation of missionary work? If you share in the dream of peace in Liberia, a country founded upon American ideals, you are invited to become more informed by writing to the LIBERIAN SOCIAL JUSTICE FOUNDATION, POST OFFICE BOX 31438, CINCINNATI, OHIO 45231. (513) 931-1872.

I am writing to introduce you to the Liberian Social Justice Foundation, Inc., a broad-based social nonprofit organization. The mission of the LSJFI is two-fold: we are dedicated to restoring a just and stable society in Liberia, and to improving the quality of life for all Liberians, both at home and abroad.

On behalf of our members, I appeal to you for financial assistance in support of LSJF activities. An application for membership is included which contains a breakdown of membership fees. Please know that any amount you can contribute will be helpful to us. Your support of the Foundation, and your awareness of its concerns is deeply appreciated. Should you have any questions or suggestions, please feel free to write us or call. Thank you for your time, your contribution, and your generosity. Checks and money orders should be made payable to the Liberian Social Justice Foundation, Inc.

Best regards,

Edwin G.K. Zoedua  
Executive Director/Chairman

EGKZ/rnlm

## Faces of hunger in Liberia

Liberian children await arrival of a food convoy in Tubmanburg, 50 miles north of Monrovia. The city was cut off for months by fighting. People surrounded the trucks Wednesday; when bags of wheat were opened, they grabbed handfuls and ate it uncooked. **World/A8**





# SPORTS and the Law

by Dennis W. Bishop, Esq. & Bret M. Kanis, Esq.

## *The "Armchair Quarterback's" Guide to the Mechanics of Off-season Signings in the NFL; MLS Players Association Files Antitrust Lawsuit Against Fledgling League*

**Weaving A Path Through the NFL's Player System Maze.** With the National Football League's annual college draft only two short months away and the free agent sweepstakes in full swing, NFL teams from coast to coast have begun the financial scramble. Since the advent of the league's salary cap, a team's off-season maneuverings are frequently dictated by cap concerns. Further complicating matters is the seemingly endless list of rules and restrictions on player mobility enumerated in the 1993 NFL collective bargaining agreement (CBA). This off-season guide highlights the key provisions of the NFL player system in an effort to present the NFL CBA's maze of legal ease in a more manageable fashion.

Under the 1993 CBA which runs through 1999, the NFL's players are effectively divided into four classes: "Rookies", "Exclusive Rights Players", "Restricted Free Agents" and "Unrestricted Free Agents". A player's classification, based on years of service, is of critical importance as it determines not only his ability or lack thereof to switch teams, but also the procedure which a team must follow to retain his services. Each of the four classifications also subjects players and franchises to varying salary restrictions.

A first-year NFL player must be compensated at least the rookie minimum salary of \$131,000. Any rookie salary figure above that minimum is subject to the provisions of the "Entering Player Pool" which effectively serves as a rookie salary cap. Under this provision of the collective bargaining agreement (CBA), the total amount which any individual franchise may pay collectively to all of its drafted rookies is calculated based upon draft order, traded draft picks and compensatory picks. All of the NFL teams together are permitted to pay drafted rookies no more than 3.5% of the average league wide projected "Defined Gross Revenues" (DGR) or an average of \$2 million per team, whichever is greater.

The current CBA defines the DGR as the aggregate revenues received by the NFL from all sources related to the performance of players in NFL football games, subject to some specifically enumerated exceptions. In terms of "big

ticket items", the DGR calculation includes both ticket sales and broadcast revenues, but excludes revenues from NFL Properties, the highly lucrative licensing arm of the NFL.

The \$2 million dollar figure was selected as it represents the average amounts paid per team to the first eight rounds of drafted rookies during the 1990-1992 NFL seasons. The figure was based on 8 rounds as beginning in 1994, the college draft was reduced from twelve to seven rounds plus an additional 28 picks, as an offset for teams who lose players to free agency. A final important provision of the current CBA dictates that the rookie pool cannot decrease from year to year.

The second classification of NFL players is the "Exclusive Rights Player." These players have been in the league for a minimum of two years, but less than three years. A player must be listed on his team's active/inactive, injured reserve or physically unable to perform list for at least six games in any one season in order to get credit for a full season for classification purposes. In addition to having less than three years of service time in the league, a player's contract must also be expired in order for him to fit this player category.

A franchise need only tender a one-year contract at the specified minimum salary to exclusive rights players in order to retain their services. If the player has accrued two years of service time, the team must tender a minimum of \$164,000. For players with more than two, but less than three years of service, a team must tender a minimum of \$196,000 to retain the player's services. Regardless of service time, any player in this category who does not receive a tender from his team becomes an unrestricted free agent and may negotiate and sign with any team he wishes.

Once a player has accrued at least three seasons of service, but less than four seasons, he is classified as a "Restricted Free Agent" at the expiration of his contract. In order to participate in the bidding for a restricted free agent, the player's prior team must tender what is termed a "Qualifying Offer" to the player. In order to constitute a qualifying offer, the team must tender a one-year contract for the greater of 110% of the player's previous year's salary or any of three salary figures specified in the CBA.

The first specified salary figure is \$361,000. Once a team offers it's own restricted free agent the greater of this figure or 110% of his previous year's salary, other NFL franchises may then make competing offers. Under the provisions of the CBA, the player's prior team retains a right of first refusal when any such offer is made by another franchise. This right of first refusal enables

the prior team to retain the restricted free agent's services by matching the competing offer.

If the prior team fails to match the offer, that team is then entitled to compensation for loss of the restricted free agent's services. At this first level, the compensation takes the form of a draft pick in the next college draft in the same round that the departing restricted free agent was originally drafted. If the acquiring team no longer retains the right to a pick in that round due to a previous deal or other circumstances, the deal cannot be made.

The second specified salary figure for restricted free agents is \$785,000. A team losing the service of a player at this salary level is entitled to compensation in the form of a first round pick. The final specified salary figure checks in at \$1,053,000 with compensation of both a first and third round pick to any team which loses a player at this salary level to restricted free agency. A final twist in the CBA provides that any club making a qualifying offer that requires a first round pick for a player not originally selected in the first round will receive only a second round pick in the event that the team loses the player.

The fourth and final player classification is "Unrestricted Free Agent". These players have a minimum of four years of accrued service at the expiration of their contracts, and are free to negotiate with any club without limitation subject to two exceptions. These two exceptions are the "Franchise Player" and the "Transition Player" designations. By affixing either of these labels to an NFL player, a club can effectively remove one of its own free agents from the bidding market.

Each NFL club is permitted to name one franchise player per season. This designation must be made between February 1 and February 15 prior to the season during which the designation is to be in effect. Once named a franchise player, that player may only negotiate with the prior team. Upon contract expiration, the prior club is required to automatically offer the franchise player a contract for the greater of 120% of his previous year's salary or the average of the five largest prior year salaries at that position. If at any time the team withdraws its offer, the player becomes an unrestricted free agent.

The transition player rules combine characteristics of both the franchise player and the restricted free agent provisions. When a transition player's contract expires, his club must tender an offer which is the greater of 120% of the player's previous year's salary or the average of the salaries of the top ten players in the NFL at his position. Like a restricted free

agent, a transition player is also free to negotiate with any team, but his prior team retains a right of first refusal which enables it to match any offer from a competing franchise. If the prior team fails to match the offer, the transition player becomes an unrestricted free agent.

Each franchise is permitted to name a total of three transition players. The first of these had to be designated by February 25, 1993 and the second between February 1 and February 15, 1994. The third transition player cannot be named until 1999. However, a club may choose to designate a transition player in any year during which it has not named a franchise player.

A final salary restriction intended to protect veteran players is the five-year veteran minimum salary of \$275,000. In addition, all of the provisions outlined above are subject to numerous other miscellaneous restrictions such as the signing periods applicable to each player classification. Although the mechanics of the current NFL player system are anything but straightforward, players are willing to wade through its intricacies as the ultimate result has been an unprecedented level of player mobility in the league.

**The Honeymoon's Over for MLS and Its Players.** Just months after the culmination of its highly successful inaugural season, Major League Soccer has joined the ranks of professional sports leagues in America's courtrooms. On February 13, the newly formed Major League Soccer Players Association filed an antitrust lawsuit against the league challenging the legality of player contract restrictions which have the effect of holding down salaries. The class-action suit led by Paul Caligiuri and nine other players names both MLS and domestic soccer governing body U.S. Soccer as defendants,

and was brought in U.S. District Court in Boston.

The twenty-seven page complaint seeks an injunction as well as unspecified triple damages as permitted under antitrust jurisprudence. Perhaps the most significant aspect of this case is the challenge posed by the players to the MLS' status as a single-entity. The league founders designed the league as a single entity specifically to avoid antitrust challenges. As a single entity, a league would qualify as a "single actor" which is by definition incapable of the combination-type activities prohibited by section 1 of the Sherman Antitrust Act.

The league maintains that it is a single entity as all MLS players sign contracts with the league itself and are then assigned to the various league teams. This is different than the franchise sys-



# SPORTSLAW from page 12

tem employed in the other four major sports leagues under which each team negotiates with and signs its own players. MLS draws a further distinction between itself and other leagues by arguing that unlike those leagues, MLS is not a group of individual franchises coming together to form a league.

In both the 1982 case of *NASL v. NFL* and the 1984 case of *Los Angeles Memorial Coliseum Commission v. NFL*, courts refused to award single-entity status to the NFL. Accordingly, it remains to be seen what the courts require in order to award a professional sports league the much coveted single-entity status. While MLS is convinced that it has established the paradigm for such treatment, the players counter that the league is not a single-entity because individual owners are independent entities which operate like teams in the other major leagues except in their refusal to negotiate independently with players.

In further allegations, the MLSPA argues that the league is in violation of federal antitrust law in that while MLS clubs hire general managers, coaches and employees and determine their compensation, player salaries are unilaterally determined by MLS Deputy Commissioner Sunil Gulati. The players also opine that MLS' failure to apprise them of the rules of the salary cap currently in

place is in violation of antitrust law.

The system of transfer fees enforced by not only MLS and U.S. Soccer, but also FIFA, the world governing body for soccer, has also been questioned by the players. Specifically, the players claim that these transfer fees unfairly prevent MLS players from signing with teams in other countries even after their MLS contracts have expired.

Two final challenges brought in the class-action involve the league's "Standard Player Contract" (SPK). According to the players, the standard player contract, which each player in the league is required to sign, denies players a fair share of group licensing rights. Additionally, the players claim that the SPK contains a form of the "reserve clause" which has been struck down as illegal in other sports. This clause gives each MLS club unilateral rights to renew their players' contracts.

MLS Commissioner Doug Logan responded to news of the suit by pointing out that, "[W]e would have been foolish not to fully investigate the legality and propriety of our way of managing this enterprise. We feel certain it will withstand all legal tests." MLS Chairman Alan Rothenberg added, "I am frankly disappointed they would choose to challenge practices a whole bevy lawyers have told us are completely lawful, and to take an action like this at a time like this in the league's history."

MLSPA attorney Jeffrey Kessler has

expressed strong disagreement with the sentiments of MLS officials, noting that, "The main thrust (of the lawsuit) is...that players in Major League Soccer are treated like chattel." No matter which side prevails, the outcome of this case is certain to have a profound effect on the formation of future leagues.

**In a Nutshell: Should We Stay Or Should We Go?** Superior Court Judge Anthony Joseph dismissed former San Diego city councilman Bruce Henderson's lawsuit seeking to halt the 10,000 seat, \$78 million expansion of Jack Murphy Stadium currently in progress. In alleging that financing the expansion through lease bond revenues was illegal because city officials didn't get voter approval, Henderson's suit sought injunctive relief until such a vote could be held. Had the expansion been stopped, the NFL planned to relocate the 1998 Super Bowl from San Diego to the Rose Bowl in Pasadena, California. The lawsuit would also have affected Jack Murphy Stadium's resident teams which include the San Diego Padres and the San Diego State Aztecs as well as the Holiday Bowl which is played at the stadium.

**Organized Crime Thugs Visit Baseball Clubhouses.** Baseball security chief Kevin Hallinan is planning to bring former organized crime thugs to Major League Baseball clubhouses during his visits to the various spring training camps this preseason. In order to

educate players about the pitfalls of becoming involved in illegal gambling, Hallinan will utilize videos and former organized crime members both to explain how "bookies" work with organized crime families and to inform players of the potential consequences to those who fail to pay on their bets.

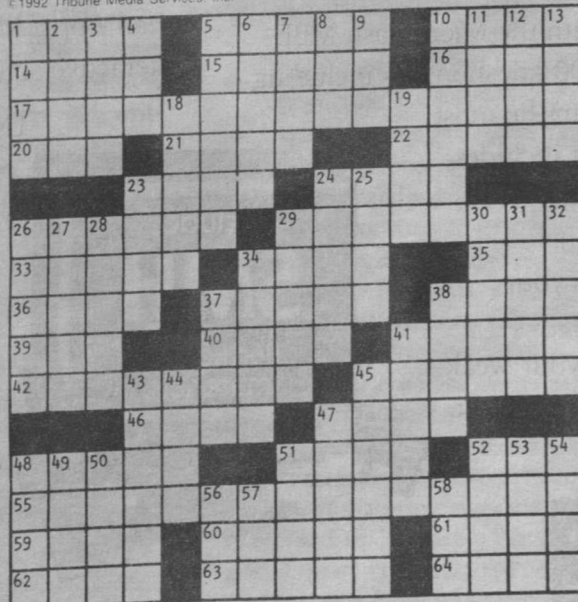
**More Dollars for Bonds.** San Francisco Giants All-Star outfielder Barry Bonds signed a two-year contract extension that will pay him an average of \$11.45 million during the 1999 and 2000 Major League Baseball seasons. The contract extension also gives the Giants a \$10.3 million option for 2001 which, alternatively, can be bought out for \$2.5 million.

**Taking One for the Team.** Only five of the eighty baseball players who filed for salary arbitration this year actually took their cases to an arbitration hearing. The other seventy-five were all able to settle on a contract with their team prior to their hearing dates. Of the five cases, the owners won four. The only player to win his salary arbitration hearing was Boston Red Sox knuckleballer Tim Wakefield who was awarded the \$2.5 million he sought by independent arbitrator James Duff instead of the \$1.55 million offered by the Bosox. Despite the players 1-4 record in those cases which actually made it to hearing, though, the average salary for the eighty players that filed for arbitration increased by 152.8% with their average salary shaking out at \$2,014,460.

## ★ CROSSWORD PUZZLE ★

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# Community Legal Clinics

## Clinics Sponsor Open House

The Community Legal Clinics will be hosting an open house on Monday, March 3rd from 4:00 to 6:00 p.m. In room L-301 to be followed by a reception in room L-401. This is an opportunity for students to learn more about the school's excellent clinical program. All students are welcome. Refreshments will be available. Clinical faculty and students in the various clinics will be on hand to answer questions about their programs.

Full descriptions of all the clinical offerings available for next year's second and third year students will also be distributed as part of this spring's registration materials. The following is a list of the clinics and what they do:

### Administrative Advocacy Clinic (Law 632)

Students in the Administrative Advocacy Clinic have primary responsibility, under faculty supervision, for interviewing, counseling and representing low-income, elderly and disabled clients before federal and local administrative agencies. Students may advocate before the Social Security Administration, Department of Veterans Affairs, District of Columbia Department of Human Services and District of Columbia Crime Victims Compensation Board for clients seeking disability benefits, retirement benefits, food stamps, benefits under the new Temporary Assistance for Needy Families legislation, compensation as a crime victim and federal health insurance benefits. Student advocacy may involve oral argument and examination of witnesses before federal Administrative Law Judges and local hearing examiners. Students may also interview and counsel clients on estate planning matters as well as draft wills and powers of attorney. Students may also participate in federal or local welfare rights litigation projects, law reform projects or legislative advocacy.

Students are required to do two hours of telephone intake per week and to attend a weekly seminar on Wednesdays from 3-5. The seminar will include lectures on public entitlement programs, interviewing, counseling and advocacy exercises and guest speakers. Students are expected to meet weekly with clinical faculty and encouraged to do so as often as necessary. The clinic is offered on a two hour H, P, LP or NC basis. Proposals to allow students to take the clinic for an optional third credit, requiring fifteen hours a week of work, and to grade students conventionally are pending. There are no prerequisites to the course, although administrative law and trusts and estates are useful. Admission to the clinic requires permission of the instruc-

tors. Students who simultaneously work, for pay or as volunteers, for the federal or District governments may have a conflict and should advise the clinical faculty when signing up for the course. For further information, contact Jeffrey Gutman or Lynn Cunningham at 994-7463.

### Civil Litigation Clinic (Law 624)

Low-income clients needing representation in the D.C. Court system rely on the services provided by the Civil and Family Litigation Clinic. The program is open only to third year students who must commit themselves to participating for both the fall and spring semesters. A minimum of sixteen hours per week must be devoted to the course, and a grade for eight credits will be awarded at the end of the academic year. Court-certified students gain substantial experience in interviewing and counseling clients, drafting pleadings, developing discovery, preparing cases for trial, conducting examinations of witnesses and arguing cases under the close supervision of the Clinic attorney. Many types of family cases are handled (divorce, custody, child support and alimony), as well as a variety of other matters including Civil Division and Small Claims cases. Prospective third year students who apply for the Clinic must submit a written application and speak with the supervisor. For further information, contact Joan Strand at 994-7463. A weekly seminar is held Wednesdays, 3:10-5:00 p.m. This clinic may not be taken simultaneously with Outside Placement (Law 633) except with written permission from Professor Strand. Prerequisites are Criminal Law, Evidence and Civil and Criminal Procedure; Trial Advocacy is strongly recommended.

Clinic enrollment is limited to ten students.

### Domestic Violence Clinic (Law 628)

The Domestic Violence Clinic offers students experience with lawyering for social change while providing needed representation to victims of domestic violence. Under faculty supervision, students represent battered women seeking protection orders and enforcing such orders in contempt proceedings. Students interview and counsel clients, draft pleadings and prepare and try cases in the D.C. Superior Court. Students also advocate with the U.S. Attorney's Office concerning the prosecution of their clients' cases. Most students participate in one or more trials during the year. This Clinic emphasizes an interdisciplinary approach to understanding domestic violence and working with clients, with the assistance

of a clinical psychologist and expert witness, who consults on cases and participates in the seminar.

Students also participate in non-litigation "community projects" seeking to improve the community's response to domestic violence. Such projects have included development of a legal advocacy program for battered women in the GW Emergency Department, a study of the Court's batterers' counseling program, development of a system for documenting complaints about the police, and work with battered women's shelters. Through their simultaneous work on individual cases and larger system reform issues, students learn about the social context of law, and develop a broader vision of their role as lawyers who can seek to improve the system's response to a major social problem.

The required 2-hour seminar focuses on the law and psychology of domestic violence, the development of lawyering skills, and lawyering for social change. Students should plan to devote approximately 16 hours per week to this Clinic, for 4 credits per semester. The Clinic is open to third-year students with permission of the professor. Pre-requisites are Evidence, Civil and Criminal Procedure; Trial Advocacy is recommended. The seminar meets on Tuesday, 3:10-5:00 p.m. Applicants must fill out a written application and meet with Professor Meier. For further information, contact Professor Meier at 994-7463.

### Consumer Mediation Clinic (Law 620)

The Consumer Mediation Clinic is the oldest law school mediation program in the country and provides students with a unique opportunity to help local consumers resolve ongoing disputes without court action. Residents of the greater D.C. metropolitan area, including the Maryland and Virginia suburbs, may call the Clinic's "hotline" to receive free assistance. The Mediation Clinic is open to second- and third-year students (first-year students may participate during the summer of their first year) and may be taken for 2 or 3 credits. The Clinic is graded on an H, P, LP, and NC basis. Students must fulfill four hours of clinic work per credit hour each week which includes a mandatory 2 hour seminar and present a brief paper analyzing one of their cases.

Students in the Mediation Clinic act as neutral third parties who assist consumers and businesses in resolving disputes by negotiating mutually agreeable settlements. Students perform case intake, provide information and referrals, and mediate assigned cases involving a variety of consumer issues (debt collec-

tion, credit problems, defective goods and services, home improvement contracts, etc.). Students develop and apply creative problem solving techniques as well as study local and federal consumer laws. Students work under the guidance of a supervising attorney with the help of more experienced student directors who also provide administrative support. Permission of the instructor is required prior to registration. Interested students should contact Carol Izumi at 994-7463 for more information and to sign up. A weekly seminar is held Tuesdays, 3:10-5:00 p.m.

### Health Insurance Counseling Project (Law 631-25)

The Health Insurance Counseling Project represents older D.C. residents in resolving medical bills and with problems in obtaining Medicare, Medicaid and other private health insurance payments for medical care. Students represent clients in administrative hearings and work on active litigation to resolve bill disputes. They do legal research to assist in the development of new strategies and law reform efforts aimed at health-related issues.

Students are expected to perform two hours of intake each week, attend the health insurance seminar taught by the Project Director, Professor Sue Andersen (Wednesday 3:10 to 5:00) and take major responsibility for up to five cases each semester. Two credits are given for this clinic on an H, P, LP or NC basis. Participants are expected to work ten hours each week on clinic responsibilities. The clinic is open to second and third year students.

If you have an interest in health law and have a desire to learn how it directly affects the lives of older Americans, you will enjoy this clinic. You will learn about Medicare, Medicaid, ERISA, and other laws relevant to the provision of medical care. You will also learn about the growth of managed care and the obstacles older individuals face in seeking information about Medicare HMOs. You will be expected to negotiate with the D.C. Department of Human Services to resolve problems of Medicaid eligibility and to obtain necessary home health, skilled nursing care and other medical services important to older D.C. residents.

You are invited to call or come to the clinic and talk to Professor Andersen and her staff if you have any questions. The clinic is located with the Advocates for Older People Project at 2136 Pennsylvania Avenue in a storefront office. You can reach them by phone at 676-3900.

See CLINICS, page 16



# Community Legal Clinics

## CLINICS from page 15

### Immigration Clinic (Law 630)

This clinic represents persons ("aliens") that the Immigration and Naturalization Service (INS) is trying to remove from the United States. No other D.C.-area law school handles the variety and volume of immigration matters that this clinic does.

Cases are referred to the clinic by the immigration court, the UN High Commissioner for Refugees, private attorneys, and community organizations. Clients are from all over the world, so it's helpful if students speak languages other than English, although it's not required they do so. Students are given substantial responsibility for their clients' cases, and in appropriate circumstances, represent them in open court.

Students should expect to work approximately fifteen hours per week on their cases. This clinic must be taken for 3 credits, on an H, P, LP, NC basis. There is a prerequisite, Immigration Law #360 or its equivalent at another law school, that must be completed prior to registering in this clinic, and permission of the professor is required. For further information contact Alberto Manuel Benítez, at (202) 994-7463.

### Small Business Clinic (Law 621)

The Small Business Clinic is a joint venture between the United States Small Business Administration and the George Washington Law School. Since the Clinic provides free start-up legal assistance to area businesses and non-profit organizations, and is the only law school clinic of its type in the Washington Metropolitan area, its services are in great demand. The Clinic's two primary goals are to give students practical experience in creating legal structures for new businesses and assisting local area entrepreneurs through the legal requirements of starting a new business.

Students will gain practical experience with client interviewing, drafting legal documents such as articles of incorporation, bylaws, agreements and contracts, and providing basic tax and counseling on business regulation issues. Students work closely with the supervising attorney in conducting interviews, researching, and drafting legal documents.

Through the Community Economic Development Project of the SBC, some students may work with non-profit groups whose mission is to help low-income communities avoid economic exploitation and dependency through self help initiatives in small business such as microlending.

A weekly seminar is held Wednesdays 3:10-5:00 p.m. to review specific aspects of business law which are pertinent to the cases in the clinic. Periodically, guest speakers will address the seminar on areas of specialization. Additionally, students in the clinic will present the cases they are currently working on to the supervising attorney and fellow participants in the clinic. This gives students the opportunity to share individual case strategies and tactics and allows the other seminar participants to benefit from each student's experience.

aspects of business law which are pertinent to the cases in the clinic. Periodically, guest speakers will address the seminar on areas of specialization. Additionally, students in the clinic will present the cases they are currently working on to the supervising attorney and fellow participants in the clinic. This gives students the opportunity to share individual case strategies and tactics and allows the other seminar participants to benefit from each student's experience.

Clinic enrollment is limited to 10 students. Prerequisites include Corporations and Federal Income Tax. The course may be taken for 2-4 credit hours and is based on 10, 15 or 20 hours of clinic work per week. The course is graded on an H, P, LP, or NC basis. Students who have taken this clinic have found that the nature of their work has helped them to gain a practical understanding of the business related courses they have taken. Applicants must fill out a written application. For more information, please contact Susan R. Jones at 994-7463.

### The Federal, Criminal, and Appellate Clinic (Law 625)

Students represent clients primarily in direct appeals from criminal convictions, along with some civil rights appeals. Students develop written and oral advocacy skills, as well as counseling experience and tactical judgment. They are responsible for client relations, review of trial transcripts, preparation of briefs and oral argument. Clinic students appear in the appellate courts of the District of Columbia and Maryland, with occasional cases in the U.S. Court of Appeals for the Fourth Circuit. Students must devote an average of 20 hours per week although work load fluctuates. A weekly seminar includes reading assignments, role-playing and other simulations, as well as written exercises. Students must have completed Law 216, 217, 218 and 232. Open to third year students with permission of the instructor; students must apply during the spring of their second year. Must be taken for 4 graded credits per semester for the full academic year. Interested students should speak with Professor Jennifer Lyman at 994-4951. (Two hour weekly seminar Thursday 3:10 to 5:00 p.m. with additional small group meetings and supervision).

### Vaccine Injury Clinic (Law 626, Sec. 25)

In this clinic, students will represent children and other individuals who have suffered serious vaccine-related injuries and who are seeking recovery of damages in trial and appellate proceedings before the United States Court of Federal Claims. A weekly two-hour seminar is held on Thursdays, 3:10-5:00 p.m. This seminar focuses on multi-disciplinary

seminar focuses on multi-disciplinary (medical/legal) training in vaccine injury issues, and in lawyering skills, such as client interviewing and counseling, cross-examination of medical experts, and effective use of medical reports. Leading experts in the vaccine area will address the class on a variety of issues. Students will also evaluate the Claims Court's program as a model for tort reform.

This clinic is a four-credit graded course. Students must devote approximately 18 hours per week, and participate in both the fall and spring semesters. Open to second and third year students with the permission of the instructor. Only students who have successfully completed Law 232 (evidence) will be eligible to represent petitioners on appeal to the Court of Federal Claims. For further information, contact Peter Meyers at 994-7463.

### The Outside Placement Program (Law 633)

The Outside Placement Program, provides students with the opportunity to receive academic credit for unpaid work which they do in public interest, government and non-profit organizations.

There are numerous listings of internship opportunities which have been pre-approved, copies of which are available in binders outside of Professor Alice Sullivan Fitzgerald's office, (2000 G Street, Room 3-D.) However, all students must see Professor Fitzgerald, Director of Outside Placement before making a commitment to an internship which has not been pre-approved. Professor Fitzgerald will then contact the placement supervisor to formally arrange the terms of the placement. This allows the Director to explain to the field supervisor the objectives and requirements of the program and to invite the field supervisor to contact her at any time during the semester if the supervisor has questions or concerns. Once a student has a commitment from a placement, he/she should then follow the procedures outlined in the Outside Placement packet entitled "Statement of Objectives for Outside Placement," which also is available outside of Professor Fitzgerald's office.

Students will be required at the time of registration to sign up for three mandatory class sessions of two hours each. The colloquia will be divided into sections which are clustered by the nature of the placement, the placement sections for the fall being: Clerkships; Public Interest; Justice/US Attorney (Civil); Justice/US Attorney/PDS (Criminal) and Agency, Misc. Each section of the colloquia will be taught by a team of three regular Law School faculty members who have the professional background and expertise appropriate to a particular section. The faculty members will address ethical or legal issues which arise or are

ethical or legal issues which arise or are likely to arise in the students' placements and the students will be invited to raise any concerns which they may have about their placements or their supervisors. Attendance at the colloquia sessions is mandatory. Because most students do not establish internships until the beginning of any given semester, the student may have to register for one of the colloquia sections during the drop/add period, which is the first two weeks of classes.

The Outside Placement Program provides students the opportunity to gain practical legal experience and apply substantive knowledge in an institutional setting. Students are allowed to receive eight (8) credits for their internships over their law school careers, with a maximum of four (4) credits in any given semester.

For further information on internships or the internships program please attend the Community Legal Clinic open house on March 3rd 4:00-6:00 p.m. or meet with Professor Alice Sullivan Fitzgerald (x47463) at another time.

### Howard University Law School Criminal Justice Clinic (Law 633-Sec.18)

Each year two third-year G.W. Law School students are selected to participate in a two semester exchange program with Howard University Law School. Court certified student participants represent individuals in D.C. Superior Court in adult misdemeanor and juvenile misdemeanor and felony proceedings. They also participate in the District of Columbia Domestic Violence Project. Students are required to attend a two hour seminar given at Howard University Law School Mondays and Wednesdays from 4:00 pm to 6:00 pm and are exempted from the colloquia requirement of other Law 633 (Outside Placement) sections. A minimum of 20 hours per week must be devoted to the course which entails a two semester, commitment by the student. Prerequisites are Criminal Law, Evidence and Civil and Criminal Procedure; Trial Advocacy is strongly recommended. The course is offered on a credit-no credit basis for a total of eight credits. For further information contact Professor Alice Sullivan Fitzgerald (x47463).

### Federal Public Defenders Program (Law 633 Sec.17)

A special year-long externship with the Federal Public Defender for the District of Columbia is available to four or five students, each receiving a total of eight units ungraded credit (four per term). Students must commit for the full year, must attend a two-day orientation before fall classes begin, and must agree to work an average of 20 hours per week, including a weekly seminar meeting with



# Community Legal Clinics

## CLINICS from page 16

Professor Jennifer Lyman at a time to be arranged by the participants. Externs work with one or two attorneys on both trial and appellate cases. Experience includes visits with incarcerated clients, courtroom assistance, participation in client and witness interviews and discovery conferences, as well as short-term and long-term research and writing projects. Students do not, themselves, make court appearances. Seminar sessions address ethical and lawyering issues, witness interviewing, case strategy and case-related problems. Open to students upon application, interview and with permission of Professor Jennifer Lyman. Preference given to third year students.

### D.C. Law Students in Court Program Civil Division

LSIC is a rigorous clinical program in trial advocacy which allows third-year law students from around the city to practice law in D.C. Superior Court (under the supervision of experienced trial lawyers, of course). Mostly, students assist or represent defendants in the Landlord & Tenant Division, but we also file small claims actions on behalf of clients regarding any civil matter. Once a client has signed a retainer agreement with LSIC, the student attorney handles every aspect of litigation including client and witness interviews, investigations, settlement negotiations, pleadings preparation, motions proceedings, pre-trial conferences, hearings and trials. This means not only that a student will certainly be arguing motions in court, but also that he or she could be trying a case before a jury before the end of law school.

LSIC students are also in the Landlord & Tenant Division at D.C. Superior Court every weekday to assist tenants as friends of the court. Many times we are asked by the judge to step in if it appears a tenant does not understand the proceeding or needs help in protecting his or her rights. In addition, students do intake at the LSIC offices which are open for walk-in appointments between 10:00 a.m. and 2:00 p.m. every weekday. We see many different types of cases at our walk-in clinic; where we cannot help someone, we try to refer that person to another legal services organization in the area.

Students are chosen for the civil division from five area law schools--American University, Catholic University, George Washington University, Georgetown University, and Howard University--for a total of about fifty students. I have found one of the benefits of participating in this clinic is exposure to students from other schools. The process for selection begins soon. First a supervising attorney from LSIC will visit GW in March. Signs announcing this introductory meeting will show up in the next few weeks. Interviews at the LSIC offices will follow, with selection of students occurring in April. Over the summer, there will be reading, reading and more reading, and you will apply for a student bar number. Finally, you must be prepared to return from summer vacation a week early for orientation.

Orientation is held in the courtrooms of the U.S. District Courthouse. During the week, you will have your first stab at opening statements, direct and cross examination, objections and closing arguments. In addition, you will begin to learn substantive law and procedural rules governing landlord-tenant and general civil practice in the District of Columbia. Pay attention: your first day in court occurs in early September! The learning curve is quite steep. Two-hour weekly trial advocacy exercises throughout the semester keep your skills intact.

You may be thinking that this sounds like a large time commitment. Quite simply, it is. But if you are seeking hands-on legal experience and a greater understanding of the interplay of law, procedure, ethics, and your role as an attorney, there is no better way to educate yourself while still in law school. And an added bonus: it gives you great material for job interviews.

Answer: RIVET LOFTY BUSILY THWART  
Answer: Where the landscape artist's oils came from--THE "SOIL"

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## Views & Reviews

### Sports N' Stuff

by Darin R. Morgan  
Staff Writer

Welcome back to a potpourri of sports pleasure. Many of you don't have too many pleasures these days, so you better read on. Oh, before I forget, I promised Dean Robinson I would thank all of you who helped out in calling the prospective 1Ls last Thursday night. It is always good to give back to your school, but look it like this: we are all going to be lawyers, and there is no better way to practice your B.S. skills than to call up nervous prospectives and tell them how great GW is (cough, cough). Just kidding, Dean.

On to sports. Let's talk college hoops. Kansas is incredible, and I will be stunned if they don't take home the title in early April and party it up with Bobby Dole. They have everything a team could want: the best point guard in the country (Jacque Vaughn), a great low-post center (Raef LaFrentz), a long-range bomber at shooting guard (Jerod Haase), a spark plug power forward (Scot Pollard) and a future NBA scoring machine at small forward (Paul Pierce). They have some scoring depth off the bench, and their

whole team plays great fundamental defense. Watching them play is an orgasmic experience for college basketball junkies such as myself. No one is even close to them.

And how about the Big Ten? What a disappointing conference. Outside of over-achieving Minnesota, they have no team threatening to make a run in March and April. Michigan is overrated, Indiana is average, Illinois is a one-man team, Purdue is nothing to write home about, Iowa is less than thrilling, and the rest of the conference stinks. Look for a lot of early exits in the tourney.

Speaking of Ten, here are ten teams to keep an eye on down the stretch in the regular season:

1. Cincinnati: A pre-season number 1, these guys have choked all year, and now have low self-esteem. However, if they catch fire and get a little lucky, they have the talent to win it all.

2. Maryland: A gritty team, but they are overrated. How they fare in the ACC tournament will be a good indicator of how they do when the real gig starts.

3. Colorado: Is this team actually good? I think they are a one-man show, and little Chauncey Billups won't carry them past the second round.

4. Massachusetts: They have a poor record, but their reputation will get them into the tournament. If the back court is making their three's, who knows how far they can go?

5. South Carolina: They beat Ken-

tucky, so they can beat anyone. They have a great three-guard lineup. You don't want your team playing them in the tourney.

6. Clemson: Overrated! You watch.

7. UCLA: They are getting hot at the right time. They could go deep into the tournament.

8. New Mexico: Ditto.

9. Iowa State: This squad is a good bet for a first round exit.

10. GW: They suck and won't even make the NIT.

GW is so disappointing, it pains me to even write about them, so I won't.

How about some pro hoops? Shaquille O'Neal and Alonzo Mourning's injuries really shift the balance in both conferences. Without Love Shaq, the Lakers are the fourth best team in the conference, behind the Jazz, Rockets, and Sonics. But one caveat: Elden Campbell is now stepping up in a major way, and when Shaq comes back for the playoffs, they will have a formidable front-line -- one that can, for example, crush the Sonics. As for Mourning, the Heat were outstanding with him, and are only decent without him. The Knicks now have no excuse to not win the Atlantic Division.

Speaking of injuries, the Rockets are in trouble now that Brent Price destroyed his knee. Now they have no experience to back up my main man, Penn grad Matt Maloney, at point guard. While I am personally happy that Maloney is

the man in Houston for the rest of he season, the Rockets will rue the day that they did not pull the trigger on a deal that would have landed them Derek Harper of the Mavericks.

How about a little hockey? F-L-Y-E-R-S! Get used to it, because they are your next Stanley Cup champ. No one matches their size, and they also are loaded with talent and grit. I look forward to a Philly-Colorado final.

Finally, a little off-season football talk. The Seahawks really shook the football world by signing free agent prize Chad Brown from the Steelers. The Steelers continue their fall towards mediocrity, and it again shows one thing: free agency really is a parity producer in the NFL. It helped build the Jags and Panthers in one season, and it is the quick fix teams will have to employ to become successful in a short amount of time.

One thing does not change: the Packers are the class of football. Gilbert Brown turned down an extra million per year from the Jags to stay with the Pack, proving again that if you win and treat your players well, they sometimes reward you with a little loyalty (are you listening law school professors?) It is good to see that in this day of total greed, ego, and hedonism (though this author sees nothing wrong with those traits).

Shalom for now.

### Drinking and the Law

by Brett Schneider  
Special to Nota Bene

As I am sure you are all aware, there have been a number of GW law sponsored drinking events over the past two weeks. As I report these to you, my reactions run the gamut from rather positive to very disappointed. So, without further ado, let's get right down to business and analyze the social drinking events that have occurred.

Well, I might as well get the bad news out first. On Thursday, February 13, bar review was held at *Mister Days*. This bar review was a complete "BOMB", and I definitely don't mean this in a positive way. Those of you who were there- and there weren't many of you- know what I mean. As I just eluded to, the turnout for this bar review was horrendous. What were you all doing? And not that I blame you, because I was there and you didn't miss much, but come on, *ER* ends at 11:00, so there really aren't any excuses.

For those of you who don't know, *Mister Days Sports Rock Cafe* is the true name of this bar. As the title would indicate, it is indeed a sports bar. In fact,

for those of you like myself who are not from this area originally, it's a good place to pick up a ball game that's not on television here, especially a Packers game. *Mister Days* is located at 1111 19th St, NW. The entrance is actually in an ally on 19th St between L & M. As far as the drinks, the specials were moderately priced at around \$2.25/beer. The moderately priced beer and the "best of the eighties" jukebox were just not enough to get me back at *Mister Days* anytime soon.

The following week, *Front Page* hosted bar review. Unlike the previous bar review, the bar review at *Front Page* was excellent. For starters, one doesn't have to break the bank to go to *Front Page*, especially on a Thursday. Coronas can be purchased for \$1. In fact, *Front Page* has \$1 beers every Thursday for happy hour, which doesn't end until the bar closes. If you arrive at the bar early enough (before 7:00), they actually have a free taco bar, which 1L Ken Sachs says is definitely not worth missing.

The turnout for this bar review also grew over the anemic turnout the previous week, and I have no idea why. If

location has anything to do with it, the reason may be found in that *Front Page* is located at 1333 New Hampshire Avenue, right off Dupont Circle.

I'll probably kick myself later for saying this, but I want to tell all of you about a great bar in Georgetown that not many know about. The bar is called *The Griffin Room*, and even those who have heard of it aren't really sure where it is. It is actually located in an ally on M street between 29th and 30th streets behind *the Guards*.

*The Griffin Room* is a real cozy and dark basement level bar with a fireplace, tables and chairs, and a dance floor squeezed into a small room. When you first arrive, this bar has a really homey feel to it with its fireplace and large coat rack. It has become a great place to go late night on Fridays and Saturdays because it usually stays open a little later than most bars in the area and tends to have a real good crowd. It can get a little crowded at times, and the drinks are expensive. However, *Griffin Room* has a great atmosphere and is a great place to go after you've been drinking and want to hang at a funky place with good music.

Finally, there's Barrister's Ball. Before the big night, I wasn't really sure quite what to make of the concept of a law

school prom. Also, I wasn't too pleased with my beloved Terps basketball team's loss to the Tar Heels earlier in the day. However, the night was a great success. For everyone who shelled out the \$30+ ticket price, it was well worth the cost. The *Galleria* on 21st street was a great place. There was plenty of room, and bars all over. Throughout the night, the lines to get drinks weren't nearly what they might have been. Good planning for the Ball resulted in a fun night for all.

As one might expect, the open bar concept resulted in many intoxicated law students, a large number of whom were having their way with their dates. I'd like to provide some gossip on this topic, but I could write a whole column on the P.D.A. at barrister's ball! The music was what one might expect at an event like this, a bit cheesy, but overall fun. By the way, does anyone know how many times the DJ played the *Macarena*?

As the weather begins to heat up, there's much more on the way. Watch out for the upcoming bar reviews and "Kegs on the Quads" which are right around the corner. In the meantime, drink up and enjoy!



## Views &amp; Reviews

## Molly Sweeney: Is it Worth Seeing?

By Daniel Gustoff Weiss &  
Joshua Graham Losardo  
Special to Nota Bene

An operation is available that might restore a blind woman's sight. The medical risks are minimal. At the prodding of her husband and her surgeon, she agrees to the surgery. After all, she is told, what has she to lose?

This question is asked and answered in considerable intellectual depth in *Molly Sweeney*, a production penned by celebrated Irish playwright Brian Friel and currently playing at Arena Stage. The result is an extraordinary exploration of the blind experience, and of the aesthetic superiority so often assumed by the sighted majority.

Late in the production we are told of the beaver that lived happily in its abode by the mountain lake, only to be torn away by two arrogant fellows who presume to find a much more suitable home

farther up the mountain. Once released in its new home, the beaver lashes back at its captors and scampers down to its former home, though it had been left in ruins by the two well-meaning interlopers. Beyond the beaver's individual ruin, the natural order is upset: the lake flooded the following season without the beaver's dam. The suggestion is that Molly Sweeney, as the well-adjusted blind woman who is urged to abandon her familiar lifestyle in favor of a sighted, presumably "better" lifestyle, is similar to the beaver -- and the play unfolds accordingly.

As the vibrant Molly, Jenny Bacon artfully relates the intensification of her four operational senses given the absence of her fifth. The implication is that her net sum perception might be the same as others, rendering the source of the perception a somewhat more trivial question. TJ Edwards is charming as Molly's scatterbrained-yet-passionate

husband Frank whose short attention span as to the various eclectic causes he adopts is both his most endearing and his most flawed characteristic. It is primarily his excitement over the prospect of his wife regaining her sight that prompts Molly to accede to the surgery. Richard Bauer rounds out the cast as the surgeon who sees Molly's operation as a grand opportunity to redeem his reputation in the eyes of his peers.

Brian Friel's considered and often profound writing, brought to life by passionate Arena performances, yields a dramatic, thought-provoking evening. *Molly Sweeney*, then, is indeed worth seeing. As for Molly herself, an affirmative answer to the same question is not so easily forthcoming; there may be something to lose after all.

Arena Stage is located at 6th & Maine, SW. For tickets call (202) 488-3300.

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## Movie Review: Star Wars

By Doug Simon  
Staff Writer

For the first time in a long, long time, a movie really delivered. I am speaking, of course, of the critically acclaimed-masterpiece-blockbuster "Star Wars," produced and directed by George Lucas, which is about to eclipse a little ugly Alien named E.T. as the highest grossing film in Hollywood history. But what is it that's so powerful about this film that brings fanatics to wait overnight for a movie ticket? After seeing it again, a better question might be: what isn't?

Some of us saw Star Wars on the big screen before (my parents assure me that I was one of them), but at age 5, it's much easier for me to remember playing with my Mellenium Falcon than the excitement of sitting in that theater as those fearful words came crawling up the screen: "A long time ago in a galaxy far, far away..." I, for one, was jumping at the chance to see it that way again, for the first time. Parenthetically, I was not one of those freaks who waited overnight; as a result, I didn't see it until the second weekend.

Once stripped of its hype, the truth is

that the first hour of this movie is a little slow. In fact, if I didn't already love them unconditionally, I would have been shouting for C-3PO and R2-D2 to get the hell off the screen in the opening sequence. For some unknown reason, someone let a dialogue between two droids, one of whom doesn't speak English, continue for about fifteen minutes. As I said, we're it not for the nostalgia, I might have found this somewhat boring, but I was too busy sitting there Beavis-ly thinking "Jawas, I remember them... cool." Likewise, listening to young Mark Hamill's continuous whining for the first hour ("Oh I'm not going to Alderaan, I have chores to do...") could have made him more a movie dork than a movie hero if the other ingredients didn't work so ideally.

But when Sir Alec Guinness' "Obi-Wan" Kenobi enters the picture, the pieces of this classic begin to fit together. Guinness' portrayal is masterful as the powerful Jedi Knight with abilities and wisdom far beyond our own. His entrance truly begins the magic of this movie as he teaches Luke (and the audience) the ways of the Force. Gradually, the rest of the pieces of this masterpiece assemble. Harrison Ford (in quite possibly the most memorable role of his terrific career) provides machismo and a sense of humor in his portrayal of Han Solo, a cynic in a world of believers. Bagel-haired Carrie Fisher enters the picture as Princess Leia, the young but fiercely independent heroine who provides the hypotenuse to Luke and Han Solo's love triangle (part of which, it ultimately turns out, would be illegal in

all states but West Virginia). James Earl Jones (before he thanked us for using AT&T and told us it was CNN) lends his booming voice to Darth Vader, science fiction's personification of evil who is willing to blow up a planet to make Leia talk. And some guy grunts as Chewbacca, the Wookiee who rounds out the crew.

With these enticing ingredients, it was impossible not to get caught up in the rebel alliance's assault on the Death Star despite my knowledge, not only of the ending, but of two full movies into the characters' futures. Unfortunately, from this prospective it became impossible to objectively review this film against today's new releases. The fact is, I remember Star Wars vividly and wonderfully as part of my childhood, and I knew full-well going into the Uptown that I was going to give this film an A+. So much for suspense. But there are some points that must be made about this Special Edition.

First, the new parts are few and far between. By this I am not referring to the digitally-enhanced clarity of the film or the digitally-mastered sound. These were both fantastic and well worth the price of admission. (There is also a preview for "Lost World," the sequel to "Jurassic Park," complete with lightning machines, that is probably worth the price of admission alone.) But anyway... I am referring to the truly new parts, and basically there are two aspects. First, there are a bunch of new creatures that do nothing but look cool in the background. Second, there is a new scene with Jabba the Hut which simply introduces his relationship with Han Solo (which the rest of us know

will later lead to Han being frozen in liquid carbonite). Lucas had filmed the scene for the original Star Wars, original Jabba (just some big fat and this scene ended up on the room floor. Apparently Lucas liked the scene as pretext for the scene and with the aid of 90s computer technology, he digitally replaced the actor with the same Jabba the Hut know and love from "Return of the Jedi." The inclusion of this scene adds cinematic (short of mental) value, but from a technology standpoint it's sort of cool.

In closing, I want to say that this movie didn't need to be reviewed especially if the purpose of a review is to tell you whether the movie is any good. You all know this movie is good; it's Star Wars, and in a class all by itself. I wanted to see it, honor to review it. This is the first time a movie critic (even a professional movie critic) reserves an A+ for a movie. [Kevin Bacon Analysis = 2; Fisher to Bruno Kirby, "When Met Sally." Bruno Kirby to Kevin Bacon, "Sleepers."]



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BAR REVIEW

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